

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TRUSTEES OF MICHIGAN REGIONAL
COUNCIL OF CARPENTERS' EMPLOYEE
BENEFITS FUND,
et al.,

Plaintiffs,

Case No.: 24-cv-10907
Hon. Matthew F. Leitman

v.

MICHIGAN STUDS AND WALLS, LLC, a
Michigan limited liability company, KEVIN
COX, an individual, and NATHAN
McCARDELL, an individual, jointly and
severally.

Defendants.

/

AMENDED ORDER FOR DEFAULT JUDGMENT

THIS MATTER CAME before the Honorable Court on Plaintiffs' previous Motion for the Entry of a Default Judgment (**ECF No. 12**). The Court, being fully advised in the premises, finds that:

1. An Order for Default Judgment was entered against both Defendants Michigan Studs and Walls, LLC and Kevin Cox on June 26, 2024 (**ECF No. 15**).
2. Said Order provided that Plaintiffs were granted Judgment against both Defendants Michigan Studs and Walls, LLC and its owner Kevin Cox.

3. Additionally, said Order provided, in pertinent part, that Plaintiffs shall, upon filing a copy of the auditor's report and the appropriate affidavit(s) of a person (or persons) with knowledge, have an amended Judgment against the Defendants for all contribution amounts as are found to be due upon an updated audit, as well as interest thereon, at the rate of 10% per annum from the due date of the paid contributions, liquidated damages at the rate of 12% of all delinquent amounts pursuant to Plaintiffs' resolutions, policies and procedures, and the provisions of the parties' collective bargaining agreement, as well as costs of the audit and statutory attorney's fees, all pursuant to 29 U.S.C. 1132(g)(2).
4. Plaintiffs have attached as Exhibit 1, a copy of the auditor's report, along with an appropriate Affidavit of the relevant auditor who completed said auditor's report and Affidavit of the relevant attorney whom has personal knowledge of same in compliance with this Honorable Court's previous Order.

ACCORDINGLY, IT IS ORDERED that Plaintiffs shall have an Amended Order for Default Judgment against Defendants Michigan Studs and Walls, LLC and Kevin Cox, jointly and severally, pursuant to 29 U.S.C. 1132(g)(2), in the amount of \$227,778.86, consisting of \$216,224.61 for unpaid fringe benefit contributions together with liquidated damages thereon, accumulated interest, audit costs of \$1,500.75, court costs of \$361.00, and attorney fees of \$9,692.50.

IT IS FURTHER ORDERED that this Honorable Court shall retain jurisdiction of this matter pending satisfaction of this Judgment and/or compliance with any additional orders.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: October 29, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 29, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126